

FORM PTO-1390  
(REV 12-2001)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.  
59494.00006

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

DATE: July 12, 2004

U.S. APPLN. NO.  
(IF KNOWN, SEE 37 C.F.R. 1.51)

107501219

INTERNATIONAL APPLICATION NO.  
PCT/JP03/09823

INTERNATIONAL FILING DATE  
1 August 2003

PRIORITY DATE CLAIMED  
2 August 2002

TITLE OF INVENTION: OCCUPANT DETERMINATION APPARATUS AND OCCUPANT DETERMINATION METHOD

APPLICANT(S) FOR DO/EO/US: Hiroaki KIMURA; Masahiro MIYAMORI; Seiji YAMASHITA; Shinya DEGUCHI; Junji KANAMOTO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.  
(THE BASIC FILING FEE IS ATTACHED)
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 19 below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98, along with form PTO-1449 and 12 References.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
17. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
18. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
19. ☒ Other items or information: CHECK NO. 011687; Formal Drawings (Figs. 1-21B; 21 sheets); PCT/ISA/210; PCT/IB/308; PCT/IB/304; PCT/IB/301; PCT/RO/101

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) <b>10/501219</b>		INTERNATIONAL APPLICATION NO. PCT/JP03/09823		ATTORNEY DOCKET NO. 59494.00006	
20. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]:</b> Search Report has been prepared by the EPO or JPO.....\$920.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482).....\$730.00 No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....\$770.00 Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....\$1,080.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 100.00				DATE: July 12, 2004	
				CALCULATIONS      PTO USE ONLY <hr/>	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$ 920.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].					
Claims	Number Filed	Number Extra	Rate		
Total Claims	58 - 20 =	38	X \$ 18.00	\$ 684.00	
Independent Claims	5 - 3 =	2	X \$ 86.00	\$ 172.00	
Multiple dependent claim(s) (if applicable)			+ \$290.00		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,776.00	
Reduction by one-half for filing by small entity, if applicable. <b>Applicant claims small entity status.</b> See 37 CFR 1.27.					
<b>SUBTOTAL =</b>				\$ 1,776.00	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].					
<b>TOTAL NATIONAL FEE =</b>				\$ 1,776.00	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,816.00	
				Amount to be refunded	\$
				Charged	\$

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a. ☒ A check in the amount of \$1,816.00 to cover the above fees is enclosed.

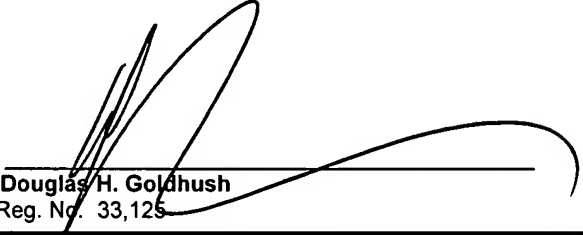
b. ☐ Please charge Counsel's Deposit Account No. 50-2222 in the amount of \$\_\_\_\_\_ to cover the above fee.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-2222.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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